

**House Study Bill 153 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
CORRECTIONS BILL)

**A BILL FOR**

1 An Act relating to the criminal offense of possessing  
2 contraband at a secure facility and making penalties  
3 applicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 719.7, subsection 1, Code 2011, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *d.* A mobile telephone or other hand-held  
4 electronic communication device.

5 Sec. 2. Section 719.7, subsection 3, paragraph a, Code 2011,  
6 is amended to read as follows:

7 *a.* (1) Knowingly Except as provided in subparagraph  
8 (2), knowingly introduces contraband into, or onto, the  
9 grounds of a secure facility for the detention or custody of  
10 juveniles, detention facility, jail, correctional institution,  
11 or institution under the management of the department of  
12 corrections.

13 (2) If the contraband is a mobile telephone or other  
14 hand-held electronic communication device, a violation of  
15 this lettered paragraph occurs if the mobile telephone or  
16 other hand-held electronic communication device is knowingly  
17 introduced into the secure facility for the detention or  
18 custody of juveniles, detention facility, jail, correctional  
19 institution, or institution under the management of the  
20 department of corrections.

21 EXPLANATION

22 This bill relates to the criminal offense of possessing  
23 contraband in a secure facility.

24 A "secure facility" means a secure facility for the  
25 detention or custody of juveniles, detention facility, jail,  
26 correctional institution, or institution under the management  
27 of the department of corrections.

28 The bill expands the definition of contraband to include a  
29 mobile telephone or other hand-held electronic communication  
30 device.

31 Under the bill, a person commits the criminal offense of  
32 possessing contraband, if the person, not authorized by law,  
33 introduces into, or conveys, makes, obtains, or possesses a  
34 mobile telephone or other hand-held electronic communication  
35 device in, a secure facility. A person who violates this

1 provision commits a class "D" felony.

2 The bill and current law provide that if a person fails  
3 to report a known possession of contraband violation to an  
4 official or officer of a secure facility, the person commits an  
5 aggravated misdemeanor.

6 A class "D" felony is punishable by up to five years of  
7 confinement and a fine of at least \$750 but not more than  
8 \$7,500. An aggravated misdemeanor is punishable by up to two  
9 years in prison and a fine of at least \$625 but not to exceed  
10 \$6,250.